REMARKS

Claims 1-22 are pending. No claims are cancelled.

Claims 1-5, 8, and 12-18 are rejected under 35 U.S.C. § 102(e) based upon United States Patent No. 6,937,897 issued to Min et al. Generally, Min is directed to an electrical lead equipped with cathode and anode active succession electrodes for positioning in the vicinity of the His bundle tissue. The lead includes a lead body for carrying conductors coupled between electrodes located at or near the distal lead end and a connector assembly located at the proximal lead end for connecting to an implantable pacemaker. The electrode is shaped, at the distal end, for positioning and attachment in the His bundle and branches thereof, cathode and anode electrodes co-extensive with the lead body. The cathode and anode electrodes may be helical screw-in type or equivalent electrodes adapted for secure fixation deep within the His bundle tissue or the tissue in the vicinity of the His bundle.

Claim 1 is directed an implantable medical device that includes "an elongated body including a lumen and an elongated member extending within the lumen; a distal tip coupled to the body and including a canted passageway extending distally from the lumen of the body and an opening terminating the passageway and positioned in proximity to a distal end of the distal tip; and a helical fixation element coupled to the elongated member and adapted to deflect along the canted passageway of the distal tip, the helical fixation member being flexible; wherein the elongated member is adapted to move the helical element through the passageway of the distal tip and out the opening and to rotate the helical element thereby affixing the helical element into an implant site."

Applicants respectfully assert that Min may not explicitly disclose a flexible helical fixation member, as in claim 1. Therefore, claim 1 should be in an allowable format. Additionally, Applicants respectfully request that the United States Patent & Trademark Office (USPTO) provide a reference or references to establish the USPTO's assertion that the helical element comprises platinum-

iridium alloy, a super elastic metal, or a synthetic resin. Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date

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